

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Dennis M. Cavanaugh
v. : Crim. No. 07-856 (DMC)
ARTHUR GILBERT :
and ALBERT GILBERT :
: ORDER

This matter having been opened to the Court by Christopher J. Christie, United States Attorney for the District of New Jersey (Kathleen P. O'Leary and Robert L. Frazer, Assistant U.S. Attorneys, appearing) and by defendants Arthur Gilbert (K. Anthony Thomas, AFD, appearing) and Albert Gilbert (Michael G. Paul, Esq., appearing) for relief requested pursuant to pre-trial discovery motions filed in the above-captioned matter on behalf of defendant Arthur Gilbert; for an order, requested on behalf of defendant Arthur Gilbert, granting a continuance of the proceedings in the above-captioned matter; for an order, requested on behalf of defendant Albert Gilbert, to be transferred from federal custody back to state custody; and the Court having considered such motions at a hearing on May 29, 2008, and for good and sufficient cause shown,

IT IS HEREBY ORDERED that the motion filed by defendant Arthur Gilbert to compel production of personal cell phone records of the Newark Police officers involved in the arrest of defendants Arthur Gilbert and Albert Gilbert on April 19, 2007 be and hereby is DENIED; and

IT IS FURTHER ORDERED that the motion filed by defendant Arthur Gilbert to compel immediate disclosure of material pertaining to two incidents referenced in a Newark Police Department Ballistics Laboratory Report, dated April 23, 2007, is moot in light of the Government's production of such material on May 29, 2008; and

IT IS FURTHER ORDERED that the motion filed by defendant Arthur Gilbert to compel immediate disclosure of material pertaining to allegations of misconduct by Newark Police Detective Vernon Parker be and hereby is DENIED; and

IT IS FURTHER ORDERED that the motion filed by defendant Arthur Gilbert to compel immediate disclosure of material pertaining to an alleged discrepancy between documents and representations made by the Government be and hereby is DENIED; and

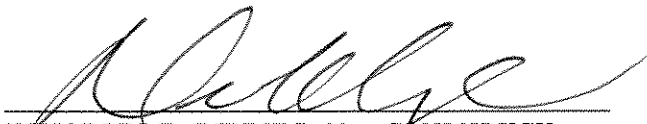
IT IS FURTHER ORDERED that the motion of defendant Arthur Gilbert for a continuance of the above-referenced matter to conduct further investigation in preparation for trial be and hereby is GRANTED;

IT IS FURTHER ORDERED that the trial be and hereby is ADJOURNED to September 3, 2008; and

IT IS FURTHER ORDERED that the period of time from June 2, 2008 through September 3, 2008 be and hereby is excluded in computing time under the Speedy Trial Act of 1974; and

IT IS FURTHER ORDERED that the motion of defendant Albert

Gilbert to be transferred from federal custody back to state custody be and hereby is GRANTED pending notification from the United States.



HONORABLE DENNIS M. CAVANAUGH
United States District Judge

6/11/08